

Term Contract No. 405F

| STATE OF NORTH CAROLINA, DEPARTMENT OF ADMINISTRATION | | |
|---|--|--|
| DIVISION OF PURCHASE AND CONTRACT | | |
| 116 West Jones Street, Raleigh, NC 27603-8002 | | |
| Term Contract | 405F | Regular Unleaded Gasoline Tankwagon |
| Effective Dates | June 1, 2009 through June 4, 2012 | |
| Bid Number | 200900442/200900533/200900675/200900940 | |
| Administrator | Grant Braley | |
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| E-Mail | grant.braley@doa.nc.gov | |
| Last Updated | April 9, 2011 | |

1. General Information:

The State of North Carolina uses conventional 9.0 RVP gasoline throughout the state year round with the exception of **nine (9) counties that have a low RVP program during the summer months**. Those counties include: **Davidson, Davie, Durham, Forsyth, Gaston, Granville, Guilford, Mecklenburg, and Wake**.

For questions regarding the tank permitting program, contact Annette Parker at the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Underground Storage Tank at (919) 733-8486.

2. Scope of Contract:

The scope of this contract is limited to Regular Unleaded Gasoline Tankwagon. This contract is for use by all state agencies, departments, institutions, universities, community colleges, public school units, as well as cities and municipalities.

In accordance with North Carolina General Statutes, certain non-state entities described below, may participate in this contract on a voluntary basis. Any of the non-state entities that choose to participate in this contract must abide by the terms and conditions that are set forth in this contract.

Nonprofit corporations operating charitable hospitals, local nonprofit community sheltered workshops or centers that meet standards established by the Division of Vocational Rehabilitation of the Department of Health and Human Services, private nonprofit agencies licensed or approved by the Department of Health and Human Services as child placing agencies, residential child-care facilities, private nonprofit rural, community, and migrant health centers designated by the Office of Rural Health and Resource Development, private higher education institutions, counties, public school units, cities, towns, governmental entities, volunteer fire departments, rescue squads, and other subdivisions of the State and public agencies thereof.

3. Minimum Orders:

This contract will be for a minimum order of **500 gallons** for any single order. Agencies are authorized to purchase from best available sources on orders less than this minimum order value. This provision shall not be used by an agency to circumvent the intent of the contract. If an agency elects to place an order for less than the minimum order value, and the contractor elects to accept such order, then transportation charges will be prepaid and added to the invoice as a separate item.

4. Placement of Orders:

Orders will be placed throughout the contract period on an as-needed basis for the quantity required at the time, and will be issued directly to the respective contractor(s) or their designated suppliers. Contract changes, if any, over the life of the contract are implemented by contract addenda released by the Contract Administrator to the contractor. If the contractor is accepting orders and/or delivering through other parties, for example a manufacturer accepting orders and delivering through a dealer network or dealers receiving orders through a network of other dealers, then it is the responsibility of the contractor to apprise such parties of all such contract addenda.

When ordering from this contract, please be aware pricing is updated **weekly**. The price will be that in effect at the **time of delivery, not the date the order is released**.

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Optional Order Placement Via E-Procurement Steps:

1. All orders will be "Blanket Orders" on this contract. The quantity (line 7) x price (line 9) equals the \$ amount of the blanket order.
2. Open the Ariba Buyer window. Click on the following link: [E-Procurement Users](#)
3. Click on the tab marked, "Non-Catalog".
4. In the field titled, "Full Description", type the following "Regular Unleaded Gasoline Tankwagon per Term Contract 405F".
5. In the field titled, "Commodity Code", find and select the following code "405-15: Gasoline, Automotive".
6. In the field titled, "Supplier", select the supplier.
7. In the field titled, "Quantity", type in the total dollar amount of this blanket order.
8. In the field titled, "Unit of Measure", find and select the following unit of measure "dollars".
9. In the field titled, "Price", type \$1.00.
10. Set the "Blanket Order" tag to "YES".
11. Complete all other appropriate information on this page and click "Add Item".
12. On the View Line Items page click "Edit" to access the Edit Line Item page. On the drop down box next to "Contract?" select "Statewide". When you select "Statewide", the "Contract ID" field appears. Enter your Term Contract ID Number into the "Contract ID" field. Do not use spaces or dashes in the Term Contract ID Number. Your Term Contract Number should be entered as follows "405F". Click "OK".

*** Note: All applicable taxes shall be included in the Tax Amount Field referenced on the requisition. ***

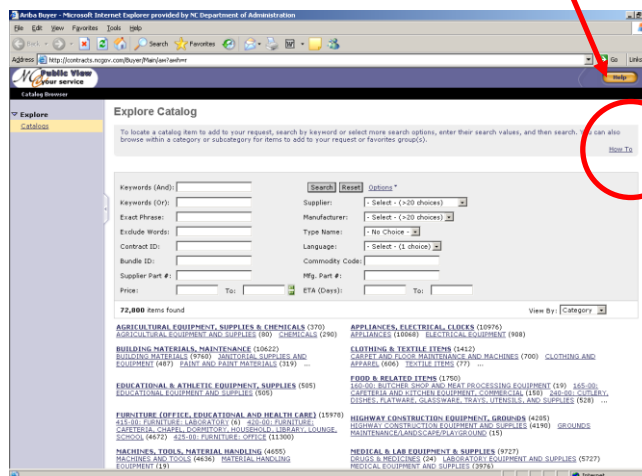
Steps for "Blanket Order" Release for delivery and receiving of goods:

1. **All releases for tankwagon loads will be initiated by the customer.** Place your release requirements by telephone with the designated supplier for a particular location.
2. When invoice is received from the vendor, validate the pricing charged (Price/at delivery date) with the data downloaded from the P&C website. If invoice is approved go to the Ariba Buyer window and receive/approve the goods.

Non E-Procurement Users

The E-Procurement Public View will be the only place for Non E-Procurement Users to view the item/pricing information.

- a. Click on the following link: [E-Procurement Public View](#)
- b. **For online assistance regarding item searching; click on the "How to" underlined link located near the upper-right hand corner.**



5. Transportation Charges:

All goods shall be delivered FOB DESTINATION when the "order value" is **500 gallons or more**, when shipped to a single destination.

6. Delivery:

Vendor will complete the delivery within **two (2) consecutive business days**, unless delayed delivery is requested, to prevent any undue hardship or price disadvantage to the using agency.

Partial Unloading: ONLY IN EMERGENCY SITUATIONS & DISCRETION OF THE VENDOR shall shipments moving from one user be stopped in transit for partial unloading and delivery to another user at a designated stop on the line of route. The following provisions shall apply:

- a. The charge for each stop over shall be a maximum of **\$30.00**.
- b. The order shall identify the point or points at which it is desired that the shipment be stopped in transit, together with the name and address of the user for whom stopping and delivery is desired and shall further designate portion of the shipment to be stopped for such delivery.

7. Item Pricing Information:

The pricing information is updated **weekly** throughout the term of the contract. Click on the following link to view the current week's price; [405F Regular Unleaded Gasoline Tankwagon](#).

8. Invoices:

The invoice shall include the name and address of contractor and receiving agency, gross gallons and net gallons delivered, date delivered, product identity and brand, the appropriate contract price per gallon, and any applicable tax/fees shown as a separate item. Invoicing at variance with this provision will subject the contract to cancellation.

9. Taxes:

If applicable, itemize them as a separate line item on the invoice. This section is different from previous bids.

- a. **Inspection Tax:** All bid prices shall not include the inspection tax of 1/4 cent per gallon.
- b. **State Road Use Tax:** All bid prices shall not include the state road use tax.
- c. **State Sales & Use Tax:** All bid prices shall not include any state sales and use tax.
- d. **Federal Tax:** Federal tax shall not be included in any bid price or invoice as exemption is claimed as provided by Chapter 32 of the Internal Revenue Code.
- e. **Superfund Charge:** All bid prices are not to include "Superfund Charge", but should be listed as a separate line item.
- f. **Fuel Surcharges:** No fuel surcharges will be allowed during the contract.

10. Vendor Complaint Form:

The Vendor Complaint Form can be found by clicking: [Vendor Complaint Form](#).

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11. Contractors:

All known minority, women and disabled owned businesses, as well as disabled business enterprises and nonprofit work centers for the blind and severely disabled, including dealers, will be identified with "Minority owned", "Woman owned", "Disabled Owned", "DBE" or "BSD" as appropriate after the vendor number. This is being done in an effort to recognize these businesses and to encourage and promote their use to the greatest extent permitted by law.

| Contractor Name | Address | Contact Information | County Served |
|---------------------------------|---|--|---|
| Cherry Oil Company Inc. | 2947 Hull Road Kinston NC 28504 | Julius P. Cherry III Phone: (252) 523-3874 Fax: (252) 523-6153 jason@cherryenergy.com | Bertie, Halifax, Hertford, Martin, Northampton, Pasquotank |
| Great Lakes Petroleum | 4478 Johnston Parkway Cleveland OH 44128 | Jeff Platko Toll Free: (800) 686-3455 Phone: (216) 478-0501 Fax: (216) 478-0510 jplatko@glpetro.com | Anson, Buncombe, Burke, Cabarrus, Caldwell, Camden, Catawba, Cleveland, Davidson, Davie, Edgecombe, Gaston, Granville, Guilford, Henderson, Iredell, Lenoir, Lincoln, McDowell, Mecklenburg, Montgomery, Nash, Pender, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Transylvania, Union, Washington, Wilson, Yadkin |
| Oliver Oil Company | 1811 East 5 th Street PO Box 1266 Lumberton NC 28358 | Christopher Oliver Toll Free: (800) 789-8459 Phone: (910) 738-1401 Fax: (910) 738-5378 oliveroilco@nc.rr.com | Bladen, Columbus, Cumberland, Hoke, Moore, Robeson, Scotland |
| Monson Oil Co. | 8025 Chapel Hill Road PO Box 3155 Cary NC 27519 | Finch Monson, Manager Toll Free: (888) 486-5925 Phone: (919) 460-9194 Fax: (919) 467-9855 finch@monsonoil.com | Chatham, Durham, Franklin, Johnston, Orange, Wake |
| Potter Oil & Tire Company, Inc. | 24250 NC Hwy 33 East Aurora NC 27806 | Brian Potter Toll Free: (800) 962-8473 Phone: (252) 322-4031 Fax: (252) 322-5215 brian@potteroil.com | Beaufort, Carteret, Craven, Jones, Onslow, Pamlico, Pitt |

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| Contractor Name | Address | Contact Information | County Serviced |
|------------------------|--|--|--|
| Red Star Oil Co. | 802 Purser Drive Raleigh NC 27603 | Brenda Weaver, Dispatcher Toll Free: (800) 774-6033 Phone: (919) 772-1944 Cell: (919) 669-6075 Fax: (919) 779-8871 brenda@redstaroil.com | Duplin, Greene, Harnett, Lee, Person, Sampson, Vance, Warren, Wayne |
| Yam City Oil & Gas Co. | 902 East 5th Street PO Box 715 Tabor City NC 28463 | Jimmy Garrell Phone: (910) 653-2053 Fax: (910) 653-5509 yamcityoil@embargmail.com | Brunswick, New Hanover |

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12. Contract Addenda:

| Addendum | Effective Date | Description |
|-----------------|-----------------------|---|
| 1 | 7/7/2009 | Red Star Oil Co. added to contract. |
| 2 | 8/11/2009 | Cherry Oil Company Inc. added to contract |
| 3 | 9/27/2009 | James River Petroleum added to contract |
| 4 | 11/29/2010 | E-mail Address Update for Red Star Oil |
| 5 | 2/3/2011 | Contract Extension Approval |
| 6 | 4/9/2011 | James River Petroleum removed from Contract for the counties of Alamance, Alexander, Alleghany, Ashe, Avery, Caswell, Cherokee, Chowan, Clay, Currituck, Dare, Forsyth, Gates, Graham, Haywood, Hyde, Jackson, Macon, Madison, Mitchell, Perquimans, Stokes, Surry, Swain, Tyrrell, Watauga, Wilkes, & Yancey |